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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,501	10/16/2001	Rycharde Jeffery Hawkes	1509-226	1484

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EXAMINER

JEAN GILLES, JUDE

ART UNIT PAPER NUMBER

2143

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,501

Applicant(s)

HAWKES ET AL.

Examiner

Jude J. Jean-Gilles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-38 is/are pending in the application.
- 4a) Of the above claim(s) 19-38 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-22 and 28-35 is/are allowed.
- 6) ☒ Claim(s) 19,23-27 and 36-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>03/18/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to RCE communication filed on 09/12/2005. Claimed priority is granted from foreign application Priority No. 0025454.0 with an effective filing date of 10/17/2000.

Information Disclosure Statement

1. The references listed on the Information Disclosure Statement submitted on 01/17/2002 have been considered by the examiner (see attached PTO-1449A).

Response to Amendment

2. This action is responsive to the application filed on 09/12/2005. Claims 1-18 have been cancelled. Claims 19-38 are newly added, and are pending. Claims 19-38 represent a method and apparatus for an "a Content Provider Entity for Communication Session". Reconsideration of the subject matter application in view of new prior art of reference is necessitated by Applicant substantial amendment (i.e., a method wherein an automaton is used for providing media content to media channels of a network communications session...) to the claims which significantly affected the scope thereof.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 19, 23-27, and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonomi et al (Bonomi), U.S. Patent No. 6,769,127 B1, in view of Mulligan et al (Mulligan), U.S. Patent No. 5,937,161.

Regarding claim 19: Bonomi discloses the invention substantially as claimed.

Bonomi teaches an automaton for providing media content to media channels of a network communication session (column 5, lines 13-18; fig. 2A, item 200), the automaton comprising:

a manager system configured to:

join the automaton to an existing network communication session between an endpoint entity and a contact center responsive to receipt of an invitation to join the existing network communication session (column 8, lines 17-67), and

receive: (a) context data about the existing network communication session (column 13, lines 39-45; note that the SAP Name is used to show a session context) and

(b) channel information about one or more media channels of the existing network communication session, wherein the channel information includes media type carried by

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the media channels and channel connection details; a transport system configured to establish, based on the received channel information, one or more media channel connections from the automaton to a session transport mechanism associated with the existing network communication session (column 19, lines 34-65; column 20, lines 1-26);

a media content handler configured to deliver media content of a particular media type to the established one or more media channel connections based on the received channel information (column 19, lines 34-65; column 20, lines 1-26); however Bonomi does not specifically disclose " a delivery controller configured to control the selection and delivery of media content by the media content handler responsive to the received context data".

In the same field of endeavor, Mulligan teaches "a computer system that receives incoming electronic message signals, stores copies of the message signals, uses data contained in the message signals to associate the signals with a forwarding or delivery address, and transmits the message signals to the forwarding or delivery address. System 116 is comprised of various program control features that interact with operably connected hardware to provide the message forwarding function. The various program control features or subsystems of system 116 include a message transfer agent 202 (random access memory and program logic), a subscriber database analyzer 204 (random access memory, a magnetic storage medium containing an information database, and program logic), a queue storage directory 206 (an

electromagnetic storage medium), and a message queue agent 208 (random access memory and program logic)..." [See Mulligan, column 5, lines 13-34].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Mulligan's teachings of delivery controller configured to control the selection and delivery of media content with the teachings of Bonomi, for the purpose of "...*improving approaches to configuration, management and operation of a media delivery system.*" as stated by Bonomi in lines 26-29 of column 2. By this rationale **claim 19** is rejected.

Regarding claim 23: the combination Bonomi-Milligan discloses an automaton as in claim 19, further comprising a content library providing media sources of different media type for use by the media content handler [see Bonomi; column 6, lines 20-58].

Regarding claim 24: the combination Bonomi-Milligan discloses an automaton as in claim 19, wherein the context data comprises an indication of a target subject, the delivery controller using the target subject indication to determine at least an initial content for delivery on at least one of the one or more media channel connections [see Bonomi; column 6, lines 20-58; column 8, lines 17-55].

Regarding claim 25: the combination Bonomi-Milligan discloses an automaton as in claim 19, wherein the context data comprises the identity of a party at the endpoint entity joined to the existing network communication session, the delivery controller using the identity to query a database about the party, the delivery controller using the query results to determine at least an initial content for delivery on at least one of the one or

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more media channel connections [see Bonomi; column 33, lines 30-67; column 20, lines 55-67; fig. 7A, item 706].

Regarding claim 26: the combination Bonomi-Milligan discloses an automaton as in claim 19, the delivery controller further configured to cause media content to be simultaneously delivered across multiple media channel connections of the existing network communication session [see Bonomi; column 33, lines 30-67; column 20, lines 55-67; fig. 7A, item 706].

Regarding claim 27: the combination Bonomi-Milligan discloses an automaton as in claim 19, wherein the delivered media content is non-interactive with respect to the endpoint entity joined to the established communication session, and the delivery controller is further configured to periodically cause new content to be delivered on the one or more media channel connections [see Bonomi; column 33, lines 30-67; column 20, lines 55-67; fig. 7A, item 706].

Regarding claim 36: the combination Bonomi-Milligan discloses a method of providing media content to media channels of a network communication session, the method comprising:

establishing a media channel connection from an automaton to a session transport mechanism associated with an existing network communication session between an endpoint entity and a contact center responsive to receipt of an invitation to join the existing network communication session and receipt of channel information about one or more media channels of the existing network communication session, the channel information including the media type carried by the one or more media

channels and channel connection details (column 8, lines 17-67; column 13, lines 39-45); and

providing an appropriate media content from the automaton to a corresponding media channel established by said establishing step responsive to receipt of context data about the existing network communication session and based on the channel information (column 19, lines 34-65; column 20, lines 1-26).

Claim 37: A computer-readable medium storing instructions which, when executed by a processor, causes the processor to perform the method of claim 36 [see Bonomi; fig. 1A, item 100].

Claim 38: A device for performing the method of claim 36 [see Bonomi; fig. 1A, item 100].

Allowed claims

5. **Claims 20, 21, 22, 28-35, 37, and 38** below is ALLOWED.

Claim 20: An automaton as in claim 19, the manager system further configured to cause the automaton to leave the existing network communication session upon an other endpoint entity at the contact center joining the existing network communication session [see.

Claim 21: An automaton ms in claim 19, the manager system further configured to join the automaton to the existing network communication session if an other endpoint entity at the contact center has not joined the existing network communication session.

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Claim 22: An automaton as in claim 19, the manager system further configured to join the automaton to the existing network communication session if an other endpoint entity at the contact center and connected to the existing network communication session had left the existing network communication session.

Claim 28: An automaton as in claim 19, wherein the delivered media content comprises active components enabling a party at the endpoint entity joined to the existing network communication session to provide input regarding future content to be delivered, the input being received by the automaton and used by the delivery controller to control subsequent media content delivered by the media content handler.

Claim 29: In combination, an automaton as in claim 1 and a service system for setting up a network communication session with an associated transport mechanism allowing the exchange of data via multiple data transfer channels for different media types, between endpoint entities joined to the session; the service system, in setting up a network communication session, creating a service-session functional entity for controlling the joining of endpoint entities to the network communication session in accordance with a predetermined service behavior, and the service-session functional entity being responsible for joining the automaton to the network communication session as required by said service behavior, the joining of the automaton to the network communication session comprising sending of the context data and the channel information to the automaton.

Claim 30: A combination as in claim 29, wherein the service session functional

entity is operative to join the automaton to an existing network communication session during a period when the endpoint entity awaits the joining of an other endpoint entity at the contact center corresponding.

Claim 31: A combination as in claim 30, wherein the automaton is automatically caused to leave the existing network communication session upon the other endpoint entity joining the session.

Claim 32: A combination as in claim 30, wherein upon the other endpoint entity joining the session, the automaton remains in the session until explicitly dismissed by the other endpoint entity.

Claim 33: A combination as in claim 29, further comprising a transcription entity joined to the session with the automaton to record the media content delivered by the automaton, the transcription entity being controllable by the other endpoint entity to play back at least selected portions of the media content delivered by the automaton.

Claim 34: A combination as in claim 29, wherein the service-session functional entity comprises a session instance with generic behavior for adding and removing endpoint entities to the network communication session and for recording the endpoint entities currently joined to the network communication session, and an associated service instance with service-specific behavior determining when the session instance is to add and remove endpoint entities.

Claim 35: A combination as in claim 29, wherein the state of connection of the

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automaton to the transport mechanism is signaled to the session-service functional entity by leg messages passed between a leg controller of the entity manager of the automaton and a corresponding leg controller of the service-session functional entity.

Reasons for Allowance of claims 20-22, and 28-35

6. The following is an examiner's statement of reasons for allowance of claim 20-22, and 28-35: the closet prior art of record (Bonomi et al (Bonomi), U.S. Patent No. 6,769,127 B1) does not teach nor suggest in detail an automaton for providing media content channels of a network communications session that can be configured with the specified flexibility: leaving the existing network communication session based on specific conditions, using associated transport mechanism via multiple channels to allow exchange of data, and adding, removing and recording endpoints and many other features as mentioned in the claims above above.

Conclusion

7. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

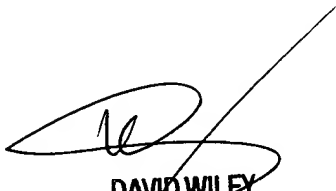
Jude Jean-Gilles

Patent Examiner

Art Unit 2143

JJG

November 10, 2005



DAVID WILEY
SUPERVISORY PATENT EXAMINER
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